

REMARKS

Claims 1-7 and 9-18 are in the application.

Concerning the objection to the drawings, submitted herewith are replacement sheets with Figs. 5, 6 and 8 showing the correct drawing symbol for plastic of the cover part 32.

Concerning the objection to claims 2, 3, 5-7, and 17, the Examiner will note that the informalities referred to by the Examiner have been corrected.

Also, claims 1, 4 and 14 have been corrected to remove the passages considered indefinite by the Examiner.

Accordingly, reconsideration and withdrawal of the rejection of claims 4, 13 and 14 under 35 U.S.C. 112, second paragraph, are respectfully requested.

Reconsideration and withdrawal of the rejection of claims 1-7, and 9-18 under 35 U.S.C. 102(b) as being anticipated by Boom et al (DE 196 17 038 A1), are also respectfully requested.

Applicants respectfully submit that the present invention as claimed in claim 1 is not anticipated by the German reference relied on by the Examiner.

The present application as well as the German reference are directed to door grips. The handle of the grip of the German reference is composed of two shells. A switching element constructed as a transmitter/receiver unit is provided in the interior of the inner shell. This switching element is covered by an insulating layer and is not integrated in a separate container. A touch switch is located in the outer shell, i.e., separate from the switching element arranged in the inner shell. By actuating the touch switch, locking and unlocking of the closing system is made possible. The closing system of the reference has the disadvantage that the manufacture of the door grip is time consuming and expensive because the use of the injection molding process, for example, with synthetic material, in order to protect the electronic components of the switching element against the entry of water. On the one hand, the switching element must be placed in the inner shell and surrounded with cast material. Subsequently, the touch switch must be connected to the outer shell before the two shells are connected to form the handle.

The present invention as claimed, on the other hand, while also showing a handle 10 composed of two shells 11, 12, provides the special feature that the switching element 18 is integrated in a separate media-tight container 13. This container 13 has on one side thereof a touch surface 15 for actuating the switching element 18. The container 13 is placed with the integrated switching element 18 in a shell 11 of the handle and is subsequently pushed on by the second shell 12. The shell 11 further has at its outer wall 19 a window cutout 14. After the second shell has been mounted, the recess 14 is occupied by the touch surface 15 of the container 13. Thus, claim 1 of the present application contains the feature according to which the "switching element 18 is integrated in a container 13, 13', 13'', 13'''".

A careful review of the German reference shows that the switching element is surrounded by casting in the interior of the inner shell. Even in the case that the inner shell is considered an open container, this container then does not have a touch surface because the touch switch is located at the outer shell. Consequently, the reference does also not show the second characterizing feature of claim 1 according to which

"the container 13, 13', 13", 13"" has at least at one side a touch surface 15' for actuating the switching element 18".

If the unit composed of inner and outer shells of the reference is considered a container, which receives the switching element and has at one outer side a touch switch, this container composed of inner and outer shells is not mounted in a handle because the inner and outer shells already constitute the handle. Consequently, the reference also does not show the next characterizing of claim 1, namely,

"the container 13, 13', 13", 13"" is introduced without play into a receptacle 16 of the base shell 11 of the handle 10, 10', 10", 10""."

Moreover, it is submitted that the reference does not show the last characterizing feature of claim 1 of the present application according to which

"The base shell 11 of the handle 10, 10', 10", 10"" has a window cutout 14 in its outer wall 19, 20 in the area of the receptacle 16 in which, when the container 13, 13', 13", 13"" is inserted into the receptacle 16, the touch surface 15, 15' is positioned in a form-locking manner."

Clearly, the German reference does not disclose or suggest a switching element integrated in a container, wherein the container is mounted in a receptacle of the base shell of the handle and the base shell has a window cutout in the handle area of the receptacle in its outer wall.

It is only as a result of the novel solution provided by the present invention which ensures that the electronic components in the container are protected against the entry of water. The manufacture of the closing system is simpler and less expensive because the container with the electronic components can be mounted as a structural unit in the handle.

Therefore, it is respectfully submitted that the claims as presented with the last amended are patentable over the art of record.

Therefore, in view of the foregoing, it is submitted that this application is now in condition for allowance and such allowance is respectfully solicited.

Any additional fees or charges required at this time in connection with the application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 21, 2004.

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